

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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TATJANA HASKAJ,

Plaintiff,

v.

ERIC H. HOLDER, Attorney General, et al.,

Defendants.

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Civil No. 15-10225-LTS

ORDER ON MOTION TO REMAND (DOC. NO. 11)

June 9, 2015

SOROKIN, J.

In this civil action brought pursuant to section 336(b) of the Immigration and Nationality Act, 8 U.S.C. § 1447(b), petitioner Tatjana Haskaj seeks a determination from this Court on her application for naturalization, where the United States Citizenship and Immigration Services (“USCIS”) delayed its resolution of her application for more than a year. See Doc. No. 1. The defendants have asked this Court to remand the matter to the USCIS for sixty days to permit the agency to complete its review of her application and issue its determination. Doc. No. 11. The remand motion is now fully briefed and ripe for resolution.<sup>1</sup> See Doc. Nos. 11, 19, 20, 21, 26, 29.

In light of the parties’ submissions – in particular, the detailed information provided in the declaration of Kenneth J. Sherman, the Field Office Director of the Boston office of the

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<sup>1</sup> The Court initially allowed the remand motion without awaiting a response from Haskaj, but later vacated that order when Haskaj filed an emergency motion for reconsideration based on concerns with the agency’s handling of the matter following remand. See Doc. Nos. 12, 14, 17.

USCIS, regarding both the status of Haskaj's application and the agency's handling of Haskaj's troubling allegations regarding her interactions with a USCIS representative who is not directly involved with the review of her application, Doc. No. 20-1 – and considering the availability of further agency review following a denial, 8 U.S.C. § 1447(a), as well as subsequent de novo review by this Court in the event the denial is upheld at the conclusion of the agency review, 8 U.S.C. §§ 1421(c), the Court is satisfied that remand to the USCIS is the appropriate course of action under these circumstances.

Accordingly, the defendants' motion (Doc. No. 11) is ALLOWED in part. Given the fact that the USCIS is now prepared to issue its decision "forthwith," and will not require the sixty days sought in the motion, Doc. No. 20 at 7, it is hereby ORDERED that the USCIS shall finalize its decision and inform Haskaj thereof within fourteen days of this order.

Finally, Haskaj's motion seeking oral argument on the motion to remand (Doc. No. 22) is DENIED. The matter has been comprehensively briefed by the parties, and the Court finds no need for further assistance or clarification of the issues beyond the parties' written submissions.

SO ORDERED.

/s/ Leo T. Sorokin  
Leo T. Sorokin  
United States District Judge